THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION NO. 34649 of 1998

DATE: 21-03-2007

Between :

S.Ravinder and 4 others.

… Petitioners

And

The Mandal Revenue Officer,
Karimnagar and another.

… Respondents

THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION NO. 34649 of 1998

ORDER:

This writ petition is filed seeking a declaration that the alleged action of the respondents in trying to demolish the houses of the petitioners is arbitrary and illegal.

It is pleaded by the petitioner, 5 in number that they were allotted house site plots in Sy.No.536 of Karimnagar and though the allotments made in their favour are subsisting, the respondents have been unauthorizedly attempting to dispossess them and to demolish the houses constructed by them.

However, in the counter affidavit filed by the Mandal Revenue Officer, Karimnagar, it is stated that none of the petitioners have constructed any houses as pleaded by them. Though the allotment in favour of the petitioners 2 to 5 has been admitted, it is stated that the petitioner No.1 was not allotted any plot. The alleged demolition has been specifically denied and it is asserted that no constructions were made. In the circumstances, the Revenue Divisional Officer initiated proceedings for cancellation of house sites allotted to the petitioners 2 to 5.

From the counter affidavit since it is clear that the allotments made in favour of the petitioners 2 to 5 are subsisting, I deem it appropriate to dispose of the writ petition with a direction to the respondents not to interfere with the possession of the petitioners 2 to 5 in any manner what so ever without following due process of law.

It is made clear that this shall not preclude the respondents to proceed in accordance with law for cancellation of house sites, for valid reasons, however the petitioners shall be given an opportunity to explain the allegations if any. No costs.

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G. ROHINI, J.

Date:21-03-2007
KLP